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NOTES: _____

3.1 WHEN ARE ELECTIONS HELD?**RCW 29A.04 & 29A.52****TYPES OF ELECTIONS****PRIMARY**

A Primary winnows the number of candidates who filed for an office down to the two candidates that will appear on the General Election ballot:

- Held the 1st Tuesday in August

Some circumstances allow a race to skip the Primary and appear only on the General Election ballot:

- Cemetery or park and recreation district races
- Nonpartisan races for city, town, district, or district court with fewer than three candidates
- In an odd-numbered year, partisan races for unexpired terms, provided there are fewer than three candidates

GENERAL ELECTION

A General Election is regularly scheduled for a specific purpose, such as electing the officers of a district:

- Held the 1st Tuesday after the 1st Monday in November:
 - Federal
 - State
 - Counties
 - Municipalities
 - Special Purpose Districts

 *General elections requiring land ownership often have a different election date. Refer to the RCW title specific to the type of jurisdiction.*

SPECIAL ELECTION

When a taxing district wants a measure to appear on a ballot, but an election for that issue is not scheduled, the election is “special.” Special elections are held in the spring and in conjunction with primaries and general elections.

NOTES: _____

There are four dates available for special elections.

- February - 2nd Tuesday
- April - 4th Tuesday
- August - 1st Tuesday
- November - 1st Tuesday after 1st Monday

These dates are available to districts placing levies, bonds, levy lid lifts, annexations, changes in government structure, and even advisory issues before the voters.

WHAT TRIGGERS A SPECIAL ELECTION?

A county or district must submit a resolution to the County Auditor.

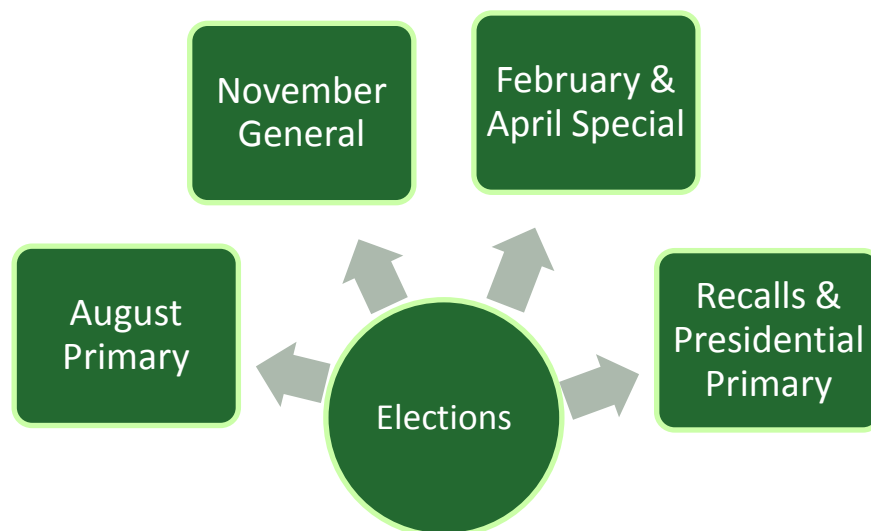
- Spring special elections - 46 days prior to the election date
- August Primary - Friday before regular candidate filing
- November General Election - the day of the preceding primary

SPECIAL CIRCUMSTANCE ELECTIONS

RCW 29A.56

Presidential Primary - Statute provides for the 4th Tuesday in May of every Presidential election year although law allows for an alternate date.

Election to recall elected officials - Respond to all requests for information on recall elections by providing RCW 29A.56.110 – 29A.56.270. Whenever a recall is filed in your office, contact the Secretary of State.



NOTES: _____

3.2 WHAT IS ON THE BALLOT?

Offices appearing on a ballot are determined by:


- The type of election
- The year of the election
- The type of office
- The term of office
- The number of candidates in a race

Measures (issues) appear on a ballot at the directive of a jurisdiction.

ELECTION TYPES

RCW 29A.36 & 29A.52; WAC 434-230

As indicated earlier in this chapter, each election type serves a different purpose. Because they serve different purposes, the rules for the ballot will also differ.

 *Judicial offices have different rules from other positions. Always refer to the Judicial Offices Appearing on the Ballot chart at www.vote.wa.gov >Resources>Laws.*

Election Type	Appearing on the Ballot
Primary	Scheduled nonpartisan races w/ 3 or more candidates Partisan races Local district measures District nominations Some charter county offices PCO (precinct committee officer)
General Elections	Top two primary vote-getters (partisan and nonpartisan) Races that skipped the primary State initiatives and referenda Local district measures President & Vice President
Special Elections	Local district measures Advisory votes District formations Changes in government structure

NOTES: _____

PRESIDENTIAL PRIMARY BALLOTS

RCW 29A.56

Different rules apply for a Presidential Primary than all other primaries.

- Held in the spring during the year of the Presidential race
- Only major political party candidates may participate
- Minor parties select candidates using a convention/petition method. (See Filing for Office)
- May require voter to affiliate with a political party
- The Presidential Primary does not determine which candidates will appear on the General Election ballot. A political party may choose to use the results of the Presidential Primary, or not, to select candidates at the party's national convention

ELECTIONS REQUIRING PROPERTY OWNERSHIP

Some special purpose districts have elections requiring property ownership, e.g. diking districts or flood control districts. If you have to conduct one of these, always refer to the specific jurisdiction statutes.

ELECTION YEARS

RCW 29A.04, 29A.52, 29A.80, 42.12

The appearance of partisan offices and judicial offices in primaries and general elections differ according to the year of the election. U.S. President and U.S. Vice President are on the general election ballot every other even year.

Year of Election	Primary	General Election
Odd Year	Nonpartisan offices w/ 3 or more candidates Scheduled partisan offices (regular terms) all races w/ 1 or more candidates Unscheduled partisan offices (unexpired terms) w/ 3 or more candidates Judges — use chart <i>When Judicial Offices Appear on the Ballot</i> Local issues — by resolution of a jurisdiction to appear in the primary	The top two vote-getters from the primary Any races skipping the primary State initiatives and referenda (as provided by the Secretary of State's Office) Judges — use chart <i>When Judicial Offices Appear on the Ballot</i> Local issues — by resolution of a jurisdiction to appear in the general election

NOTES: _____

Even Year	Partisan offices — all races w/ 1 or more candidates Scheduled nonpartisan offices w/ 3 or more candidates Judges — use the chart <i>When Judicial Offices Appear on the Ballot</i> Local issues requested by resolution to appear in the primary PCO (precinct committee officer) 2 or more in party race	Top 2 vote-getters from the primary Nonpartisan races that skipped the primary Judges — use chart <i>When Judicial Offices Appear on the Ballot</i> State initiatives and referenda (provided by Secretary of State's Office) Local issues requested by resolution to appear in the general election Presidential nominees
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OFFICE TYPES

RCW 29A.04.086 & 097

THE OFFICIAL CLASS SYSTEM

Two classifications apply to elective offices.

Partisan offices – President/Vice President, state executive officials, federal senators and congressmen, state senators and representatives, and most county officials are partisan positions.

All partisan candidates in the state are officially unaffiliated with a political party. However, candidates may indicate a party preference.

President/Vice President candidates are nominees of political party conventions and have the party affiliation printed without the additional language.

PCO elections (held in the Primary) require affiliation with a political party.

Nonpartisan offices – Judicial offices and local special purpose district commissioners, have no political party connection.

Designation of an office as partisan or nonpartisan will determine when, or if, an office appears on the ballot.

ARE THERE EXCEPTIONS?

Judicial offices are just plain tricky. Always refer to the chart [When Judicial Offices Appear on the Ballot](#), on the OSOS website and at the end of this section.

Charter counties may have different election requirements.

NOTES: _____

OFFICE TERMS

RCW 29A.24

The Term of Office describes the length of time an elected official will serve.

Regular Term – The statutory length of time open for an official to serve in office:

- Most offices have regular term lengths of two, four or six years
- The ballot does not have to list the length of regular terms
- Winners assume office at the official beginning of the new term
 - 2nd Monday in January for state offices
 - January 1 for county elected officials
 - Or as determined by statute or charter

Unexpired Term – A vacancy that occurs more than one year before the regularly scheduled election:

- An appointee may temporarily fill the vacancy
- Unexpired terms are at least one year in length. If the unexpired term is less than one year, the unexpired term is considered a 'short term'
- Ballot must list the length of the office's unexpired term
- The winning candidate takes office immediately following certification of the General Election

Short Term – A vacancy that occurs less than one year before the regularly scheduled election:

- A short term is the period of time between certification of the general election until the commencement of the regular full term (for instance, for a county official a short term lasts about one month)
- Short terms are always filled in conjunction with a full term
 - Candidate is elected to fill both the short term and regular term
 - Terms are listed as a single phrase (e.g. short/full, short & regular)
- The winning candidate takes office immediately after certification of the General Election and again when the regular term begins

There is never a short term associated with school directors. All school director regular terms begin as soon as the election is certified. Nor is there a short term for PCOs.

NOTES: _____

MEASURES

RCW 29A.24, 29A.36

Space on a ballot is limited. A measure must have a concise description called a **ballot title** consisting of three elements: the name of the jurisdiction asking the question, a concise description of the measure, and a question. Upon accepting a resolution, request a ballot title from the appropriate attorney:

- The city attorney, if a city or town passed the resolution
- The county Prosecuting Attorney for all other local jurisdictions
- The State Attorney General for state measures

Be sure to include a deadline for receiving a ballot title with your request.

After receiving the ballot title, you must send a copy to the jurisdiction for review. The jurisdiction has ten working days to appeal to the Superior Court.

CANDIDATES

RCW 29A.04, 29A.20 & 29A.24

The number of candidates filing for an office may determine if the race appears on the primary ballot, the general election ballot, or skips to the next scheduled election (see Election Year in this section).

Office type	Skips the Primary	Skips the General
Partisan office - Unexpired term	In odd years only - fewer than 3 candidates	Only if no candidates file
Nonpartisan offices (other than judicial and SPI)	Fewer than 3 candidates file Parks and Recreation or Cemetery district	Only if no candidates file
Judicial & SPI	Use judicial chart	Use judicial chart
Charter County Offices	See charter	See charter

A candidate must be notified when his or her race skips the primary ballot and moves directly to the general election.

NOTES: _____

Judicial Elections

Candidates	Supreme Court Court of Appeals		Superior Court		District Court		Municipal Court	
	Primary	General	Primary	General	Primary	General	Primary	General
1	Yes	Yes	Population over 100,000: No because certificate of election is issued after candidate filing. Population under 100,000: Yes. Art. IV, Sec. 29.	Population over 100,000: No because certificate of election is issued after candidate filing. Population under 100,000: Yes. Art. IV, Sec. 29.	No	Yes	No	Yes
2	Yes	Yes If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	Candidate with majority of votes in Primary issued certificate of election and does not appear on general election ballot. RCW 29A.36.171 Art. IV, Sec. 29.	No	Yes	No	Yes
3 or more	Yes	Yes If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	If there is a majority in Primary, candidate issued certificate of election after Primary. If no majority, top two advance. RCW 29A.36.171. Art. IV, Sec. 29.	Yes	If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	Yes

Odd-year exceptions on next page.

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OSOS / Elections Division
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NOTES:

Exceptions for Judicial Elections in Odd-numbered Years

Candidates	Supreme Court Court of Appeals		Superior Court	
	Primary	General	Primary	General
1	No	Yes	Population over 100,000: No because certificate of election is issued after candidate filing. Art. IV, Sec. 29.	Population over 100,000: No because certificate of election is issued after candidate filing. Art. IV, Sec. 29.
		RCW 29A.52.010.	Population under 100,000: No. RCW 29A.52.010.	Population under 100,000: Yes. RCW 29A.52.010.
2	No	Yes	No	Yes
		RCW 29A.52.010.		
3 or more	Yes	Yes If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes If there is a majority in Primary, candidate is sued certificate of election after Primary. If no majority, top two advance. RCW 29A.36.171. Art. IV, Sec. 29.	

Elections to fill vacancies in District Court may only occur in even-numbered years.

NOTES: _____

3.3 CANDIDATE FILING

RCW 29A.24 & WAC 434-215

In order to appear on a ballot, candidates must file an official declaration of candidacy with the designated filing officer. Filing officers may only accept declarations of candidacy during specific periods.

PRE-FILING CONSIDERATIONS

Prior to February 1, the County Auditor must send a questionnaire to each local jurisdiction scheduled to elect officers in the next general election. The purpose of the questionnaire is to confirm the information regarding open offices. At a minimum, jurisdictions need to confirm:

- The offices to be filled at the general election of that year, including vacancies
- The name of incumbents currently in those offices, including appointees
- The annual salary for the offices at the time of candidate filing
- Additional information may be included

Jurisdictions need to respond prior to March 1.

Political parties are not considered local jurisdictions.

OFFICES OPEN FOR FILING

An office will open for filing during the regular filing period if:

- The office is regularly scheduled for the ballot that year;
- A vacancy opens prior to the first day of candidate filing; or
- The jurisdiction notifies the County Auditor of a vacancy prior to the last three days of candidate filing,

When the jurisdiction fails to notify the County Auditor of a vacancy that should appear on the ballot, the Auditor must:

- Open the office for three days during the regular filing period, or
- Treat the office as if there is a void in candidacy and conduct a special three-day filing period for that office.

Prepare a list of offices by jurisdiction that will be available for filing and include all necessary information including the deadlines for filing, filing fees and withdrawal deadlines. This information should be available online.

NOTES: _____

PUBLIC DISCLOSURE COMMISSION (PDC)

Public Disclosure forms must be available to candidates as they file for office. The [PDC](#) supplies candidate packets and declaration forms electronically. Printed forms are available upon request around the first of the year.

FILING FEES AND FILING FEE PETITIONS

Not all offices require a filing fee. The chart below calculates filing fees and petition signatures based on the amount of salary *at the time of filing*. Compensation based on meetings attended or expenditures (per diem) is not considered salary.

Amount of Annual Salary	Filing Fee	Filing Fee Petition Sufficiency Requirement
No salary	No filing fee	No petition signatures required
Less than \$1,000	\$10.00	Ten signatures
\$1,000 or greater	1% of the annual salary	Signatures equal to dollar amount of the filing fee

Candidates lacking sufficient funds to pay a fee at the time of filing may submit, in lieu of cash, a filing fee petition *with* the declaration of candidacy.

A valid filing fee petition must have one valid signature for each dollar of the filing fee. The filing officer is responsible for checking each petition signature against the voter registration signature.

Example: A petition submitted for a \$406.98 filing fee must have 406 valid signatures of voters registered within the jurisdiction of the office.

Can I accept a combination of money and signatures?

No. Either the candidate pays the full filing fee in currency, or submits a petition with the required signatures. Candidates filing with a filing fee petition may not file online.

Petition signatures must be the originals and may not be faxed or emailed.

Candidate filing deadlines apply to filing fee petitions:

- All signatures must be submitted at the time of filing, no supplemental signatures are accepted at a later date

NOTES: _____

- If possible, check signatures quickly and notify candidates of deficiencies before the end of candidate filing

WHERE?

OFFICE OF THE SECRETARY OF STATE (OSOS)

Candidates file with the Office of the Secretary of State for:

- Federal offices
- Statewide offices
- Supreme Court Judges
- State multi - county positions
 - State Senators
 - State Representatives
 - Court of Appeals Judges
 - Superior Court Judges

Counties accepting filings for single county Legislature, Court of Appeals and Superior Court positions must notify the Secretary of State's office the same day a filing is approved. WEI candidate filing will automatically notify the Secretary of State as soon as approving the candidate's filing.

COUNTY AUDITOR

All other offices not filing with the Secretary of State file with the appropriate County Auditor. These offices include:

- State offices and districts that are entirely within a single county
- City and town elected offices
- Minor taxing district offices

In multi-county districts (joint districts), the county with the most registered voters is the filing officer, except for school districts. The superintendent of public instruction designates the county filing officer for all shared school districts.

WHEN?

REGULAR FILING WEEK

- Begins Monday, two weeks before Memorial Day
- Ends at the close of business the following Friday
- Offices maintain regular business hours

NOTES: _____

The filing officer must be open for filing the entire week, even if Friday is not a normal business day.

SPECIAL THREE-DAY FILING PERIODS

A second opportunity for candidates to file for an office (other than PCO), is provided when:

- A void in candidacy occurs. This happens when no one has filed for an office after the end of the official filing period, or
- A vacancy for any office, not already scheduled for filing, occurs prior to the first day of regular filing week.

The County Auditor determines when a special three-day filing is held.

Any vacancy opening after the first day of regular filing week must wait until the next election scheduled for that office. For detailed information on managing voids and vacancies refer to [Clearinghouse Issue 11-03](#), "Filing for Office."

HOW?

There are four ways that candidates may submit a Declaration of Candidacy form. Deadlines determine when the filing officer receives the declaration and apply to all methods of submitting declarations. Deny any declaration received after the candidate filing period has closed. The rules apply to regular filing and special filing periods.

IN PERSON

A candidate may submit an official [declaration form](#) either in person, or a personal representative may bring in the form signed by the candidate. Always refrain from filling out the declaration yourself; the candidate should do it.

BY MAIL

"Mail" means delivery through the US Postal service:

- Declarations submitted by fax or email are not considered by mail
- The declaration form must be received no earlier than 10 *business* days before the first day of filing week
- The declaration form must be received by the Elections Division no later than the end of candidate filing. Delivery to another department in the county or state does not qualify
- Wait until the first day of filing to process and publicize mailed declarations

NOTES: _____

What should I do if a mail filing arrives earlier than 10 days?

If there is sufficient time for a candidate to resubmit the declaration, return it with:

- A notice stating that the filing is too early
- Information on when and how to resubmit the filing

If the time of receipt is very close to filing, the County Auditor may retain the filing until the appropriate time.

ELECTRONIC (FAX, EMAIL)**RCW 29A.04.255**

With the exception of signature petitions, filing materials may be submitted electronically.

Faxed or emailed declaration forms are accepted during the filing period:

- The same deadlines and requirements apply as for in-person filing
- If payment of a fee is required, electronic filing is not complete until the fee is received

ONLINE FILING

Online filing is always available through the Secretary of State for offices filing with the Secretary of State. For positions filing with a county, it depends on the county. County Auditors using the WEI candidate filing function may choose to use online candidate filing.

All online filing systems must be available 24 hours a day:

- Begins 9:00 AM on the first day of filing
- Ends 4:00 PM on the day filing closes
- Each filing is reviewed and approved prior to publication on the website
- Electronic filing is not complete until the applicable fee is received

SPECIAL THREE-DAY FILINGS

The same rules for filing a declaration of candidacy apply for special three day filing periods.

SPECIAL CONSIDERATIONS**SPECIAL PURPOSE DISTRICTS**

Districts requiring land ownership may conduct candidate filing at a different time prescribed by the jurisdictions RCW's. The district may also require use of a different candidate declaration form and have different qualifications. Always refer to the jurisdictions RCWs and then, if lacking direction, follow RCW 29A.

NOTES: _____

PRECINCT COMMITTEE OFFICER

WAC 434-230

PCOs are a political party position voted upon and elected in the Primary every even year. Candidates residing within the same precinct compete against other candidates of the same political party.

- Only contested races within each party appear on the ballot
 - If only one candidate files for a position, the candidate is deemed elected
- There are no declared or undeclared write-in candidates
- If no candidates file for PCO position in a precinct, the position is filled by appointment

FILING PROCEDURES

WAC 434-208 & 434-230

At the time of filing, a candidate must be:

- Registered to vote in the district of the office, and any applicable internal district
- Qualified to serve if elected, however the County Auditor does not determine qualifications
- You are not required to confirm any information other than residency to the district and voter registration. It is the responsibility of the candidate to know if he or she qualifies for the office.
- Some offices require a specific length of residency — the County Auditor does not determine if the candidate meets this requirement.

Prospective candidates may register to vote or transfer at any time prior to filing.

PROCESSING A DECLARATION

For each declaration, you will need to:

- Verify that the date of filing is valid
- Confirm that the applicant is
 - A registered voter
 - Registered in the jurisdiction of the office
 - Registered in the correct sub-district if the office has this requirement (e.g. county commissioner or school director of a director district)
- Make any notations on the declaration required by your office procedures
- Notify the candidate that withdrawals must be received prior to close of business the Monday after filing closes AND filing fees are not refundable

NOTES: _____

For legislative, court of appeals, or superior court candidates, electronically transmit the information on the declaration to the Secretary of State the day the declaration is accepted.

PARTY PREFERENCE

Candidates for partisan office, other than President/Vice President and PCO, may indicate a party preference or choose “states no party preference.” This is the *candidate’s* preference, and does not link or affiliate the political party to the candidate.

- If no choice is indicated, the default is to use the phrase “states no party preference”
- Except for what is listed in WAC 434-215-120, there are no restrictions to the name of a political party
- If a candidate indicates *both* party preference and “states no party preference”, the party preference will be used
- The only nominees of a political party are those for U.S. President/Vice President. These candidates may have a party affiliation printed following their names. There will be no additional preference language
- PCO is a political party office and candidates must indicate the political party when filing

PROCESSING FILING FEE PETITIONS

WAC 434-215-025 prescribes the correct petition form. Process the filing fee petition in four steps.

1. Verify that each voter signing the petition:
 - Is registered to vote in the district (voters only need to be registered in the district of the office, not a sub-district)
 - Has only signed the petition one time — Reject all signatures of voters signing the petition more than once
2. Certify the petition as:
 - Sufficient - If the number of valid signatures is equal or greater than the number of filing fee dollars required
 - Insufficient - The petition is rejected because there are:
 - Not enough valid signatures
 - Essential information is missing
 - The petition did not accompany a declaration of candidacy
 - Petition did not meet the filing deadline

NOTES: _____

3. Notify the candidate of the sufficiency / insufficiency of the petition.
4. Sufficient and insufficient filing fee petitions have different retention schedules, see <http://www.sos.wa.gov/archives/RecordsManagement/RecordsRetentionSchedulesforCountyAuditors.aspx>

Can a declaration be rejected?

Yes, if the declaration is 'defective as to face.' For example, if a candidate lists an address outside the district, or the candidate is not registered to vote, the filing must be rejected.

May an individual hold more than one office?

A person may serve in more than one office during the same time provided there is no conflict of interest as determined by the courts. A County Auditor may not place any candidate's name more than once on a ballot unless one of the positions is for:

- Charter review board
- Freeholder
- Precinct committee officer

Additionally, a filed candidate cannot also be a declared write-in candidate for another office that is appearing on the same ballot.

What if a candidate submits two declarations?

The filings received after the initial one must be rejected unless the candidate submits written withdrawal of the initial filing. This rule also applies to instances of candidates filing for the wrong office, or candidates submitting more than one filing electronically. A candidate may not reactivate or resubmit any withdrawn declaration of candidacy, but they may re-file before candidate filing ends.

WITHDRAWALS

WAC 434-215

Candidates who do not wish to appear on the ballot may withdraw candidacy no later than the **Monday** following the regular candidate filing period. There is no withdrawal period for special three-day filing periods.

At the time of filing, candidates must be informed that:

- The last day to withdraw is the Monday following regular candidate filing
- A signed request for withdrawal must be submitted in writing to the filing officer
- Once submitted, withdrawals from office may not be revoked
- Filing fees are not refundable

NOTES: _____

When a candidate withdraws, notify:

- The Public Disclosure Commission
- If the office is for the state legislature, court of appeals or superior court also notify to the Secretary of State

CAN YOU ACCEPT A WITHDRAWAL AFTER THE DEADLINE?

No candidate may withdraw from the ballot later than the close of business on the Monday following the last day of filing week.

If a candidate wishes to withdraw after the deadline:

- The name can only be removed from the ballot by court order
- The candidate may contact the PDC and notify them that if elected, they will not serve

If, after the last day for withdrawals, any race lacks a candidate, a void in candidacy exists and you must conduct a special three-day filing period.

WRITE-IN CANDIDATES

DECLARED WRITE-IN

Any qualified person may be a declared write-in candidate:

- A [Declaration of Write-in Candidacy](#) must be filed with the filing officer no later than 18 days before Election Day
- Any applicable filing fee must accompany the declaration at the time of filing
- *Exception:* Write-in candidates are not permitted for PCO elections

UNDECLARED WRITE-IN

A write-in candidate is not required to file a declaration form. Voters may cast votes for a person simply by writing in the name on the ballot.

- Undeclared candidates do not submit a Declaration of Write-in Candidacy nor pay a filing fee
- Canvassing Boards must count votes where the candidate's name is clearly discernible
- *Exception:* Write-in candidates are not permitted for precinct committee officer elections

NOTES: _____

What is the advantage of declaring as a write-in candidate?

Voters do not need to include all information about a candidate to have the vote counted. This means more votes will count for the candidate, regardless of bad spelling by the voters.

WHO MAY NOT FILE AS A WRITE-IN?

RCW 29A.24.311

Do not accept a write-in candidacy when:

- The candidate has already filed for another position or is printed on the ballot for another position
- The candidate filed as a regular candidate or a declared write-in candidate for the same office in the primary. However, this candidate may file a write-in declaration for a *different* office in the General
- The filing is less than 18 days before the election or primary

BALLOT ORDER

RCW 29A.36

PRIMARY BALLOT

The order of candidate names on the Primary ballot is determined by lot draw. The lot draw also applies to the ballot order for sample and provisional ballots.

Conduct the lot draw after the close of filing week. Some counties conduct it after closing on Friday; some carry it out first thing Monday morning of the following week.

WHO CONDUCTS THE LOT DRAWING?

Secretary of State determines the order of names for:

- Federal offices
- Statewide offices
- Multi-county Legislative and Judicial offices

County Auditor determines the order of names for:

- Single county Legislative and Judicial offices
- Cities, towns, and minor taxing districts for which the county is the filing office
- If you are the lead county for shared jurisdictions, send the ballot order to counties and the Secretary of State's Office

NOTES: _____

Secretary of State Lot Drawing Procedure

Materials needed:

- List of candidates filed for offices. Bingo cage and balls; alternately, ping pong balls and a container.

Procedure:

1. Place uniquely numbered balls equaling to largest number of candidates in a single race into the cage.
 - a. Example: the largest filed office has five candidates, balls numbered 1-5 are placed in the cage.
2. Removed balls at random from the cage one at a time, recording each number in chronological order. This order determines the order for all offices on the ballot.

Example: Order of balls drawn: 3, 1, 4, 2, 5 applies to the initial listing.- The third name of the original list is ranked first, the first moves to second place, the fourth name on the initial list now moves to third place, second name moves to fourth and fifth remains in fifth place for the race. If a draw does not apply, it is skipped as in Race 2.

<u>Race A</u>	<u>Lot Draw/ New Order</u>	<u>Race B</u>	<u>Lot Draw/New Order</u>
1. Johnson	Moss	1. Duncan	Ramsay
2. Smith	Johnson	2. Walters	Duncan
3. Moss	Fairley	3. Ramsay	Walters
4. Fairley	Smith		
5. Roberts	Roberts		

GENERAL ELECTION BALLOT

On the general election ballot, the top vote-getter of a primary race, partisan and nonpartisan, appears first, followed by the second place vote-getter.

There are the following exceptions:

- If an office did not appear in the Primary, the names are arranged in lot draw order
- For Presidential/Vice Presidential nominees, the order of political party in the race is determined by the number of votes cast statewide in the last Presidential election for that party

APPEARING ON THE BALLOT – SPECIAL CASES

JUDICIAL OFFICES

“When Judicial Offices Appear on the Ballot” is a [chart](#) available on the OSOS website.

Please remember there are *two* pages to the chart:

- Page 1 - Covers regularly scheduled judicial elections
- Page 2 - Applies to exceptions in odd-numbered years

NOTES: _____

PRECINCT COMMITTEE OFFICERS

- Only a race of two or more for a specific party appear on the ballot
- PCO races are elected in the primary
- There are no unexpired terms for PCO
- Race order for major political parties depends upon the number of votes cast statewide in the last Presidential election

THE OFFICE OF PRESIDENT AND VICE PRESIDENT RCW 29A.20 & WAC 434-208

Declarations of candidacy and filing fees are not required.

Major Political Party – Any political party whose nominees for President and Vice President received at least five percent (5%) of the total votes cast at the last preceding Presidential election:

- National conventions nominate candidates and submit official nominations to the Secretary of State
- The political party may choose to use results from the Presidential Primary to select delegates for the national convention
- Nomination certificates must include names of official electors to serve at the electoral college

Minor Political Party – A political organization other than a major political party:

- Must be nominated by convention
- Petition must be supported by 1000 signatures of registered voters
- Must convene convention(s) during the designated period

LAPSED ELECTION

If a race is without a candidate after both the regular filing period and special filing period, the scheduled election for that office lapses:

- The office is not printed the ballot
- No write-in votes will be counted
- The incumbent will remain in office until a successor is elected at the next election for such position

If a void in candidacy occurs following the special three-day filing period, all of the above will take place and an appointee fills the position until the next election for that position.

NOTES: _____

3.4 ELECTION PREPARATION

REQUIRED NOTICES

PUBLISH IN A NEWSPAPER OF GENERAL CIRCULATION

Notice of Election (RCW 29A.52.355)

Deadline: 44 to 34 days before primary or election (15 to 5 days before the deadline for voter registration applications by mail).

Required content:

- Voter registration information:
 - Last day to register online/mail
 - Last day to transfer or update an existing registration
 - Last day to register in person for first time voters
 - Registration locations
- Election information:
 - Type of election
 - Date of election
 - How to obtain a ballot
 - List of jurisdictions in the election
 - Positions appearing on the ballot (Candidate names and addresses aren't included)
 - Short titles of ballot measures (see WAC 434-208-140)
 - Where to find additional information about the election
- Public meetings:
 - Canvassing Board Meeting Notice
 - Dates, times and locations of public meetings associated with the election

If a local voters' pamphlet is available, the notice need only list the items bulleted under *Voter Registration Information* and *Public Meetings*.

NOTES: _____

PUBLISH SOMEWHERE**Notice of Availability of Services (RCW 29A.04.220)**

- Deadline: 34 days before primary or election (linked to the deadlines for registration published in the Notice of Election)
- May be included in the Notice of Election

Required content:

- Assistance information to elderly and persons with disabilities
- Availability of voter registration aids
- Availability of voting aids
- Procedures for voting calculated to reach elderly and persons with disabilities

Notice of Logic and Accuracy Test (WAC 434-335-320)

Deadline: 24 hours before testing

Required content:

- Date, time, and location of test
- Purpose of test

Notification to:

- Press
- Political parties
- Public
- Candidates

TARGETED NOTICES**Notice of Special Filing Period (RCW 29A.24.171, 24.181)**

Deadline: no later than 24 hours prior to conducting special filing period.

Must Include:

- List of offices open for filing
- Dates, times and location for beginning and ending of filing period

Notification sent to:

- Newspapers

NOTES: _____

- Radio
- Television in the county
- May also be posted online

Notice of Recount (RCW 29A.64.030)

Deadline: at least one day before recount.

Must Include:

- Dates, times and location of the recount; including when ballots are sorted
- Each person entitled to receive notice may attend accompanied by counsel
- Any observer rules you have adopted or addressed in WAC 434-264

Notification to:

- Applicant or affected parties
- Any person for whom votes were cast in that office
- Media

LESS FREQUENTLY NEEDED NOTICES

Not all required notices are found in RCW 29A. The following are some of the notices required for special purpose elections:

- Notice of special primary & special election to fill congressional vacancy (RCW 29A.28.050)
- Notice of election for organization /reorganization of school districts (RCW 28A.315.275)
- Election on question of incorporation (RCW 35.02.100)
- Notice of election to disincorporation (RCW 35.07.050)
- Election of charter adoption for first class cities (RCW 35.22.070)
- Notice of election for annexation by code city (RCW 35A. 14.070)
- Petition and notice of election for transfer of city harbor (RCW 36.08.010)
- Notice of election for removal of county seat (RCW 36.12.030)
- Notice of election for bonds to fund roads and bridges (RCW 36.76.100)

NOTES: _____

BALLOT DESIGN

RCW 29A.36 & WAC 434-230

Depending on the county tabulation system, an election may need the following types of ballots:

- An accessible ballot (AVUs must have ballots programmed into the units)
- Provisional ballot
- Sample ballot
- Official ballot
- Special absentee ballot

All ballot types and styles must use the same format and must include:

- Title – Name of election, date of election, county name
- Ballot instructions including specific instructions for
 - Partisan primary
 - Partisan general election
 - Precinct committee officer races
- Races and candidates
- Ballot style or precinct identifier
- Clear delineation between instructions and the first measure or office

Top 2 Primary

Washington implemented the Top 2 Primary in 2008.

Requirements for primary ballots listed in the current Revised Code of Washington are not entirely applicable.

When designing a Top 2 Primary ballot, always refer to WACs, Clearinghouses, and 2008 Top Two Advisories.

ORDER OF OFFICES / MEASURES

Statute and rule specify the order for countywide and state races and measures. Written county procedures determine placement of local jurisdiction measures and offices on the ballot.

Measures creating a district by resolution of the county legislative authority appear as a county measure. Following creation of a district, measures and offices will appear according to county policy.

Policies and procedures should include instruction for placement when more than one measure or type of measure is received from a district. Also, determine which goes first, the candidates or formation question, if you've directed measures go after candidates.

NOTES: _____

ORDER OF CANDIDATES WITHIN A RACE

Top 2 Primary	
ORDER OF:	DETERMINED BY:
Partisan candidates	Lot Draw results
Nonpartisan candidates	Lot Draw results
(PCO) Precinct Committee Officer	Lot Draw results
RCW 29A.36.131	
General Election	
ORDER OF:	DETERMINED BY:
Partisan candidates	Highest vote-getter in Primary
Nonpartisan candidates with a primary	Highest vote-getter in Primary
Nonpartisan and partisan candidates without a primary	Lot Draw results
President / Vice President (major political parties)	Number of votes for the party candidate cast statewide in the last Presidential Election
RCW 29A.36.131, RCW 29A.36.161, RCW 29A.36.171, WAC 434-230-045	

Creating the perfect ballot

WAC 434-230

A ballot must meet specific design standards set by the type of voting system and state standards. Use WAC 434-230-012 to comply with font size and style, alignment, capitalization, spacing, and use of color and shading.

The perfect ballot relies on good design and careful proofing.

NOTES: _____

Try the following proofing techniques:

- Maintain a checklist for every proofing session
- Proof from the original documents
- Use WEI candidate filing, check the candidates/races on ballot against the WEI list
- Isolate proofers from distractions, to a different room or location
- Use two or more people & switch roles
- Read out loud to each other
- Repeatedly proof using an entirely different set of eyes

Refer to WAC 434-230-012 for formatting and use the Ballot Format Checklist on the web page for [Election Administrators](#)

SAMPLE AND PROVISIONAL BALLOTS

RCW 29A.36 & WAC 434-230

Use the same design layout for sample and provisional ballots.

SAMPLE BALLOTS – THE COMPLETE PICTURE

Sample ballots contain all issues/races within the county. If a county's population is one million or more, sample ballots may represent a region:

- A printed copy must be available through the Auditor's Office
- Same format as official ballot
- Easily distinguishable from regular ballots (i.e. different color)
- Available 15 days prior to election
- If county provides local voters' pamphlet with sample ballot, separate sample ballots are not necessary

PROVISIONAL BALLOTS

Provisional ballots must differ from the official ballot.

- Visually distinguishable from the official ballot
- Incapable of tabulation by a voting system

A sample ballot may be used as a provisional ballot.

STAFFING

NOTES: _____

Staffing is often based on the anticipated number of return ballots. Increased staffing for an election requires:

- Training – Signature verification has a mandatory training requirement
- Oaths – Signature checkers and ballot box attendants require oaths
- Appointees working at voting centers and staffed deposit sites equally represent the major political parties. Obtain a list of potential workers from each party
- Time off for staff - Do you have enough staff to cover absences?

TABULATION EQUIPMENT

RCW 29A.12 & WAC 434-335

Service the tabulation equipment yearly. Good maintenance is essential to proper tabulation.

PRE-TESTING

Pre-testing the tabulation system (including AVUs) thoroughly includes:

- Hardware
- Software
- Reporting results
- Retesting after any changes in programming

Test and verify every:

- Style of ballot
- Voting response
- Printer (from any printing source you will use)

Special AVU considerations:

- Don't forget to proof the AUDIO
- Proofread and proof-listen!

OFFICIAL LOGIC AND ACCURACY TESTS

The Logic & Accuracy (L&A) Test is an official test of tabulation equipment and logic. The event is open for public observation.

For primary and general elections, a representative of the Office of the Secretary of State may attend.

NOTES: _____

To prepare, the county should:

- Provide the official test matrix and a sample ballot to the OSOS at least 10 days before the test
- Conduct the test in the same manner as the ballots will be counted during the election
- Use the same machine operators

Logic and Accuracy Test requirements

- Offices and candidates must appear in all appropriate precincts
- The system must accumulate votes accurately
- Test the system's reporting of votes

AVUs

AVUs must also be tested prior to use. The County Auditor must receive a log of the testing and provide at the official L&A.

Test the programming on one machine, then:

- Test functionality of every machine
- Test reporting and accumulation of votes

What if an official L&A fails?

The County Auditor must schedule an emergency L&A pursuant to WAC 434-335-310. At least one other County Canvassing Board member or an OSOS representative must be present. Tabulation equipment must pass an L&A test before it can be used to tabulate ballots for an election.

OFFICIAL OBSERVERS

RCW 29A.40.100, 12.130 & WAC 434-261-020

Major political parties may appoint official observers to watch the election process. Prior to every election, the County Auditor must:

- Send a request for observers to major political parties for all mail ballot and counting center activities
- Suggest the number observers needed to observe at each processing location

Do you provide written guidelines to your observers? Anticipate their questions and concerns with a set of written instructions to describe:

- Duties and responsibilities of observers
- The processes they will observe

NOTES: _____

- Legal requirements for the various processes

Be a considerate host:

- Clearly define the areas and office protocol for your observers
- Have sign-in sheets and name badges ready
- Provide a space for observers to call their own. Designate a table, locker or area for purses, coats and personal items
- Prepare a schedule stating when tasks begin and when staff takes breaks
- Outline the appropriate ways or channels to ask questions

NOTES: _____

